

**CODE ENFORCEMENT BOARD
CITY COMMISSION MEETING ROOM
100 NORTH ANDREWS AVENUE
MARCH 26, 2013
9:00 A.M. – 1:08 P.M.**

<u>Board Members</u>	<u>Attendance</u>	Cumulative attendance 2/2012 through 1/2013	
		<u>Present</u>	<u>Absent</u>
Howard Nelson, Chair	P	10	1
Howard Elfman, Vice Chair	P	10	1
Paul Dooley	P	11	0
Genia Ellis	P	8	3
Joan Hinton	P	10	1
Jan Sheppard	P	11	0
Chad Thilborger [arr. 9:05]	P	9	2
PJ Espinal [Alternate]	A	3	7
Joshua Miron [Alternate]	A	3	7
Robert Smith [Alternate]	P	7	3

Staff Present

Bruce Jolly, Board Attorney
Ginger Wald, Assistant City Attorney
Yvette Ketor, Secretary, Code Enforcement Board
Diana Cahill, Clerk III
Erin Saey, Clerk III
Lori Grossfeld, Clerk III
Bridget Patterson, Administrative Aide
Ron Tetreault, Fire Inspector
Jorg Hruschka, Building Inspector
George Oliva, Building Inspector
Bobby Masula, Building Inspector
Gerry Smilen, Building Inspector
Jamie Opperee, Prototype Inc., Recording Secretary

Communication to the City Commission

None.

Respondents and Witnesses

CE12050501; CE12050511; CE12050513; CE12050514; CE12050516; CE12050517;
CE12050519; CE12050526; CE12050556; CE12050560; CE12050561; CE12050565;
CE12050569; CE13030110: Addie Albareda, attorney
CE12070141: David Hered, owner, Tammy Wexerle, tenant
CE12060005: Lucetta Pierre-Louis, bank attorney

CE07080634: Donald Grant, owner
CE11092221: Delton Francis, contractor
CE11121441: Stephanie Toothaker, attorney
CE13021115; CE13021490; CE13021118: James Alexander, owner
CE12070140: Bryan Hudson, owner; Roberta Hudson, owner
CE12022421: Wilner Delzince, owner
CE11020852: Geraldo Nunez, owner
CE12010302: Anson Belizaire, owner
CE12020630: Charles Falcone, owner
CE12041215: Eugene Germain, owner
CE12060451: Alfred Orbegoza, owner
CE11121005: Oswald Cooper, owner; Carl Allison, co-owner
CE12011094: Leon Allen, owner
CE09020070: Stephanie Toothaker, attorney; Robert Keesler, general manager
CE12090217: Rochelle Lindsey, owner; Erik Garcia, owner's representative
CE11051291: Ira Price, owner
CE11121644: Michael Wattner, contractor
CE12081790: Sara Prieto, property manager; Darrylle Hood, tenant
CE11101853: Julien Martinon, owner
CE12030330: Andre Lahoud, contractor
CE10050006: Blendi Turku, owner
CE12090219: Stuart Mead, owner
CE11060522: Deborah Mayor, LLC manager
CE11110003: Scott Mello, contractor

Chair Nelson called the meeting to order at 9:00 a.m., introduced Board members and explained the procedures for the hearing.

Individuals wishing to speak on any of the cases on today's agenda were sworn in.

Mr. Smith sat on the dais until Mr. Thilborger arrived at 9:05.

Case: CE11110003

1237 Northwest 18 Street
LRT FLL LLC

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 10/23/12 to comply by 11/27/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Scott Mello, contractor, stated he had pulled all of the permits and requested an extension to complete the work.

George Oliva, Building Inspector, supported a 91-day extension.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to grant a 91-day extension to 6/25/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE07080634

430 Arizona Avenue
GRANT, CLAUDETTE B H/E
GRANT, DONALD

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 5/27/08 to comply per a stipulated agreement by 9/23/08. Violations and extensions were as noted in the agenda. The property was complied and fines had accrued to \$32,760.

Jorg Hruschka, Building Inspector, recommended no fines be imposed.

Donald Grant, owner, thanked the Board for their patience.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to impose no fine. In a voice vote, motion passed 7-0.

Case: CE11121644

2765 Northeast 14 Street # PH1(PHW)
FALK, CHARLES E SR

Certified mail sent to the owner was accepted on 3/15/13. This case was first heard on 10/23/12 to comply by 1/22/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Michael Wattner, contractor, stated he was seeking a variance on behalf of the owner and requested a 90-day extension.

Jorg Hruschka, Building Inspector, supported the extension request.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to grant a 91-day extension to 6/25/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11020852

1304 Northeast 1 Avenue
RODRIGUEZ, AURA

This case was first heard on 2/28/12 to comply by 5/22/12. Violations and extensions were as noted in the agenda.

Gerry Smilen, Building Inspector, reported the property had failed the first inspection and the owner needed to call to schedule another.

Geraldo Nunez, owner, stated he had corrected the plans but an issue had arisen regarding the architect's letter when he called for inspection.

Inspector Smilen explained that the inspector had not been comfortable with the engineer's letter and Mr. Nunez would work with the inspector and reschedule the inspection. He recommended a 28-day extension.

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to grant a 28-day extension to 4/23/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11051291

2406 Nassau Ln
LIN-RES LLC

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Ira Price, owner, reported the plans had been approved and they had pulled a permit but the tenant would not allow them into the house. He requested a 91-day extension to schedule all inspections.

George Oliva, Building Inspector, felt 63 days would be sufficient.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

The following 11 cases at the same address were heard together:

Case: CE12050511

45 Hendricks Isle # 2B
PASZCZAK, ROBERT J
PASZCZAK, SANDRA M

Certified mail sent to the owner was accepted on 3/14/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Addie Albareda, attorney for the respondents, stipulated to the evidence regarding the violations presented by Inspector Smilen at the previous hearing. She stated the condo board had agreed to request a site plan amendment instead of a variance. The application was complete and would be filed as soon as they had plans from the City's archives.

Inspector Smilen was concerned about the lack of progress and recommended ordering compliance within 63 days or a fine of \$10 per day.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12050513

45 Hendricks Isle # 2C
KELLY, FRANK &
KELLY, JOANN

Certified mail sent to the owner was accepted on 3/14/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12050516

45 Hendricks Isle # 3A

HENDRICKS INVESTMENTS CORPORATION S A

Certified mail sent to the owner was accepted on 3/13/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12050517

45 Hendricks Isle # 3B

BIGGIO, JOHN E

Service was via posting on the property on 3/11/13 and at City Hall on 3/14/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12050519

45 Hendricks Isle # 3C
BOEHLKE, THOR

Service was via posting on the property on 3/11/13 and at City Hall on 3/14/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12050526

45 Hendricks Isle # 3D
JUDITH TELL FELDMAN LIV TR
FELDMAN, JUDITH TELL TRSTEE

Service was via posting on the property on 3/11/13 and at City Hall on 3/14/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12050560

45 Hendricks Isle # 4B
VERNIAUT, ERIC

Service was via posting on the property on 3/11/13 and at City Hall on 3/14/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12050561

45 Hendricks Isle # 4C
WILSON, JOHN KNOX III

Certified mail sent to the owner was accepted on 3/12/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12050565

45 Hendricks Isle # 4D
BOHNE, BRIAN C

Service was via posting on the property on 3/11/13 and at City Hall on 3/14/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12050569

45 Hendricks Isle # 5E
DAYTONA LAND COMPANY

Certified mail sent to the owner was accepted on 3/12/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT
OBTAINING THE REQUIRED PERMITS.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13030110

45 Hendricks Isle # PHF
Hendricks Isle IG INC

Service was via posting on the property on 3/11/13 and at City Hall on 3/14/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THE CONDOMINIUM COMMON AREA HAS BEEN ALTERED WITH
THE EXPANSION OF THE POOL/SPA DECK UP TO THE SEA
WALL AND THE REMOVAL OF LANDSCAPING WITHOUT A
PERMIT.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

The following three cases at the same address were heard together:

Case: CE12050501

45 Hendricks Isle # 2A
BOCHINO, JOHN A

This case was first heard on 11/27/12 to comply by 2/26/13. Violations and extensions were as noted in the agenda.

Addie Albareda, attorney for the respondents, agreed to request an extension for all three cases.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12050514

45 Hendricks Isle # 2D
BOGAR, DANIEL & BRANDELYN

This case was first heard on 11/27/12 to comply by 2/26/13. Violations and extensions were as noted in the agenda.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12050556

45 Hendricks Isle # 4A
ELLERT, RICHARD J &
GAYA, MARIA LUISA

This case was first heard on 11/27/12 to comply by 2/26/13. Violations and extensions were as noted in the agenda.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11121441

721 Northeast 3 Avenue
PALMETTO LIMITED LLC

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 6/26/12 to comply by 8/28/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which

would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Stephanie Toothaker, attorney, said the after-the-fact permit application had been submitted. She requested a 28-day extension.

Gerry Smilen, Building Inspector, supported the extension request.

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to grant a 28-day extension to 4/23/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE09020070

2000 North Ocean Boulevard # HOTEL
URBANA PELICAN GRAND I LLC

Service was via posting on the property on 3/14/13 and at City Hall on 3/14/13. This case was first heard on 2/22/11 to comply by 3/22/11. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Stephanie Toothaker, attorney, reported the Planning and Zoning Board had approved their request, including the tent. They had hired a tent company to prepare an application for the permit and construction of the permanent enclosure would begin by February 20, 2014. She requested a 245-day extension.

Jorg Hruschka, Building Inspector, confirmed what Ms. Toothaker had stated. He wanted to ensure that the tent would be removed even if the construction was delayed. Ms. Toothaker clarified that the Planning and Zoning Board had approved the tent for 12 months, and specified that construction of the permanent enclosure must begin by 12 months from February 20, 2013. The tent also required a building permit, which they were working on. Mr. Nelson pointed out that the permit for the tent would comply the violation and Ms. Toothaker estimated this would take three months.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 91-day extension to 6/25/13, during which time no fines would accrue. In a voice vote, with Mr. Dooley opposed, motion passed 6-1.

Case: CE11121005

1604 Northwest 15 Place
COOPER, O F & ROSALIE

Service was via posting on the property on 3/15/13 and at City Hall on 3/14/13. This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the

agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Carl Allison, co-owner, said the owners had been working to comply the violations, but this was costly and they were trying to find the funds. He requested an extension.

George Oliva, Building Inspector, suggested the owner remove the illegal addition, which had never been completed. He said the windows and wood fence required permits as soon as possible. They should also have the electrical inspected. Inspector Oliva recommended a 91-day extension for the first steps.

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to grant a 91-day extension to 6/25/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12020630

1333 Northeast 2 Avenue
FALCONE, CHARLES H/E
FALCONE, JOSEPHINE EST

This case was first heard on 11/27/12 to comply by 3/26/13. Violations were as noted in the agenda.

Charles Falcone, owner, explained that all of the work had been done prior to his ownership. He said he was trying to save the property from foreclosure and requested an extension.

George Oliva, Building Inspector, stated the owner could first renew the existing shed permit and pass inspection. Later on, Inspector Oliva said the City could work with Mr. Falcone regarding the windows and front door.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 28-day extension to 4/23/13, during which time no fines would accrue. In a roll call vote, with Ms. Ellis, Mr. Thilborger and Chair Nelson opposed, motion passed 4-3.

Case: CE12060451

1546 Southwest 24 Street
ORBEGOZO, NANCY

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Gerry Smilen, Building Inspector, reported the plans and revisions had been approved and the owner only needed to pick them up. He recommended a 28-day extension.

Alfred Orbegoza, owner, requested additional time to afford the permit fees, which were \$1,142.

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, with Ms. Sheppard opposed motion passed 6-1.

Case: CE12060005

301 Southwest 13 Street
CLARK, RALPH

Service was via posting on the property on 3/14/13 and at City Hall on 3/14/13. This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Gerry Smilen, Building Inspector, reported there had been no progress.

Lucetta Pierre-Louis, bank attorney, stated the bank did not have certificate of title yet so they could take no action. She requested an extension for the bank to attain ownership. Ms. Pierre-Louis said they did not yet have a hearing date.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, with Mr. Thilborger and Chair Nelson opposed, motion passed 5-2.

Case: CE12011094

1645 Northwest 8 Avenue
ALLEN, LEON

Service was via posting on the property on 3/15/13 and at City Hall on 3/14/13. This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, stated permit applications had been submitted on March 13, 2013 and recommended a 63-day extension.

Leon Allen, owner, confirmed he had submitted the applications but he could not afford the fees.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12041215

1451 Northwest 21 Street
GERMAIN, EUGENE &
GERMAIN, FLORETTE

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 9/25/12 to comply by 1/22/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, the owner had permits for the air conditioning that had passed final inspection. He still needed the electrical permit. He recommended a 63-day extension.

Eugene Germaine, owner, thanked the Board.

Motion made by Ms. Sheppard, seconded by Mr. Thilborger, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12022421

1270 Southwest 30 Avenue
DELZINCE, REYNOLD &
DELZINCE, MARIE GHISLAINE

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 11/27/12 to comply by 1/22/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, stated all permits had been issued and recommended a 91-day extension.

Motion made by Mr. Thilborger , seconded by Ms. Hinton, to grant a 91-day extension to 6/25/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12010302

1319 Northwest 8 Avenue
BELZAIRE, ANSON

Service was via posting on the property on 3/15/13 and at City Hall on 3/14/13. This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Anson Belizaire, owner, said the house had belonged to his father and he had been unaware of the violations. Mr. Nelson explained to Mr. Belizaire that he was now responsible to comply the violations since he was the owner. Mr. Belizaire had sent an email indicating he was looking for a contractor.

George Oliva, Building Inspector, explained that the property was a duplex that had been divided between Mr. Belizaire and his sister when their father died. Mr. Belizaire's sister had already applied for the air conditioner permit and passed inspection. The work had been done by the same contractor that worked on Mr. Belizaire's side of the duplex but Mr. Belizaire did not feel he was responsible for the work his father had done. Mr. Nelson explained that Mr. Belizaire needed to work with the contractor to get a permit for the air conditioning on his side of the duplex. Mr. Belizaire agreed.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 28-day extension to 4/23/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11092221

661 Arizona Avenue
BAJON, DENIS
BAJON, EDWARD

Service was via posting on the property on 3/15/13 and at City Hall on 3/14/13. This case was first heard on 5/22/12 to comply by 6/26/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, reported the contractor was having inspections. Inspector Oliva recommended a 63-day extension.

Delton Francis, contractor, said they only needed final inspections and the certificate of occupancy.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

The Board took a brief break.

Case: CE12070140
1126 Southeast 2 Avenue
HUDSON, ROBERTA J

Certified mail sent to the owner was accepted on 3/12/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.4.18

A WOOD FENCE HAS BEEN INSTALLED WITHOUT A PERMIT.

Inspector Smilen stated he would like to present the case against the adjoining property at the same time as this case and the parties agreed. Inspector Smilen submitted photos of the properties and the Notice of Violation detailing the violations and corrective action into evidence.

Inspector Smilen explained that by the way the fence was installed, it appeared to belong to 1126 Southeast 2 Avenue. He did not know where the property line was, and both property owners denied ownership of it. Ms. Hudson's son had submitted a complaint that the fence was erected without a permit.

Bryan Hudson, the owner's son, said the fence had been installed after Mr. Hered's pool was installed in the 1990's and some panels had been replaced after the 2005 hurricane. Mr. Hudson stated he had not had a survey done so he did not know on which property the fence was installed. He said he had filed numerous complaints about the fence but they had been ignored.

David Hered, adjacent property owner, presented a survey and said all of the fencing on his property had been permitted. He said he would split the cost of a fence permit with the Hudsons so they could keep that section of fence.

Mr. Jolly said the more important issue was who installed the fence, not which property it was on. He admitted that the owner of the property on which the fence was installed would be responsible as well.

Mr. Hered stated he had not put up the section of fencing they were discussing. He said he moved back to the house in 1993 and the fence was there already and he had done no additional work to the fence since.

Ms. Wald explained that the City was responsible to prove the violator -- identify who erected the fence or replaced part of it without a permit. The City should also determine on which property the fence was installed. Ms. Wald stated the City did not have proof of who erected the fence, so the City's only case would be regarding the location of the fence. Mr. Hered had pulled an after the fact permit for a fence on his property in 1999.

Inspector Smilen explained that the section of fence under contention was not covered under Mr. Hered's after-the-fact permit from 1999. He stated that the survey provided by Mr. Hered "shows to me that the fence is not on his property."

Mr. Nelson referred to the 1993 survey Mr. Hered had provided and agreed it appeared the fence was "completely and entirely" on Ms. Hudson's property.

Ms. Hudson provided a history of her ownership of the property and admitted she had never gotten along with Mr. Hered's family. She said Mr. Hered had installed the fence when he installed a pool.

Ms. Ellis did not feel comfortable ruling on either case until the City provided additional information. Mr. Nelson suggested the property owners resolve this issue between themselves. Inspector Smilen suggested a continuance, and he would provide the survey that had been used for the after-the-fact permit. He said the property owners might work together to resolve the issue in the meantime.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to table both cases to the Board's April meeting. In a voice vote, motion passed 7-0.

Case: CE12070141

200 Rose Drive

HERED, DAVID MICHAEL

Service was via posting on the property on 3/6/13 and at City Hall on 3/14/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.4.18

A WOOD FENCE HAS BEEN INSTALLED WITHOUT A PERMIT.

Tabled to the Board's April meeting, see above.

The Board took a brief break.

The following three cases for the same owner were heard together:

Case: CE13021115

1011 Northwest 2 Avenue
ALEXANDER, JAMES K
ALEXANDER, THERESA

Service was via posting on the property on 3/7/13 and at City Hall on 3/14/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

1. THIS DWELLING WAS APPROVED BY THE CITY AS A TRIPLEX. THE OWNER HAS TURNED APARTMENTS #2 AND #3 INTO A ROOMING HOUSE BY RENTING THE ROOMS WEEKLY AND BUILDING TWO EXTRA ROOMS INSIDE APARTMENT #3. THIS OWNER IS A REPEAT OFFENDER. IN 2011 ANOTHER CASE, CE11100580, WAS OPENED BY OFFICER W. QUINTERO FOR THE SAME VIOLATION.

FBC(2010) 111.1.1

THE USE AND THE OCCUPANCY OF THIS DWELLING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A TRIPLEX AND TO HAVE EACH UNIT OCCUPIED BY A SINGLE FAMILY TO A MULTI-FAMILY DWELLING OR ROOMING HOUSE WITHOUT OBTAINING THE REQUIRED PERMITS AND THE CERTIFICATE OF OCCUPANCY FROM THE BUILDING DEPARTMENT.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and stated the case was opened pursuant to a complaint made to the Police Department. A 2011 case against the property had been closed when the owner complied the violations. Inspector Oliva recommended ordering compliance within 28 days or a fine of \$150 per day, per violation.

Inspector Oliva explained that the rear apartment had been converted into four room rentals. Zoning permitted a duplex or triplex, but not a rooming house.

James Alexander, owner, did not dispute the violations. He said he had purchased the properties at the height of the real estate bubble and they had not been economically viable for some time. He described problems he had experienced with tenants

vandalizing units and stated he had resorted to renting rooms to provide more revenue. Mr. Alexander informed Mr. Nelson that he had not been cited for the violations at this property in the past. Mr. Nelson referred to the 2011 complaint and referral to the Police Department but Mr. Alexander stated the notice has been sent to an old address. Mr. Alexander said he was trying to remove the tenants in order to return the property to its legal state.

Ms. Wald said the 2011 code inspector's violation was not the same violation as the current Florida Building Code violation. The property had subsequently been reinspected and the case dropped. Since the violations were not the same, Ms. Wald stated the City had not requested that fines begin from the date the violation was discovered by Inspector Oliva.

Mr. Alexander thought he would be able to evict the tenants within 28 days.

Motion made by Mr. Thilborger, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$150 per day, per violation would begin to accrue and to record the order. In a voice vote, with Mr. Dooley opposed, motion passed 6-1.

Case: CE13021118

1019 Northwest 2 Avenue
ALEXANDER, JAMES K &
STRAPKA, STEPHAN

Certified mail sent to the owner was accepted on 3/14/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

1. THIS DWELLING WAS APPROVED BY THE CITY AS A DUPLEX. THE OWNER HAS TURNED APARTMENT #2 INTO A ROOMING HOUSE BY RENTING THE ROOMS WEEKLY AND BUILDING THREE EXTRA ROOMS INSIDE APARTMENT #2. THIS OWNER IS A REPEAT OFFENDER. IN 2011 ANOTHER CASE, CE11100580, WAS OPENED BY OFFICER W. QUINTERO FOR THE SAME VIOLATION.

FBC(2010) 111.1.1

THE USE AND THE OCCUPANCY OF THIS DWELLING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A DUPLEX AND TO HAVE

EACH UNIT OCCUPIED BY A SINGLE FAMILY TO A
MULTI-FAMILY DWELLING OR ROOMING HOUSE WITHOUT
OBTAINING THE REQUIRED PERMITS AND THE CERTIFICATE
OF OCCUPANCY FROM THE BUILDING DEPARTMENT.

See above.

Motion made by Mr. Thilborger, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$150 per day, per violation would begin to accrue and to record the order. In a voice vote, with Mr. Dooley opposed, motion passed 6-1.

Case: CE13021490

1011 Northwest 2 Avenue
ALEXANDER, JAMES K
ALEXANDER, THERESA

Service was via posting on the property on 3/26/13 and at City Hall on 3/14/13.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 1:1.12.1

WORK REQUIRES A PERMIT.

FL Admin Code 69A-60.0081

THIS STRUCTURE HAS BEEN CONSTRUCTED USING LIGHT-
FRAME TRUSS-TYPE STRUCTURAL MEMBERS. THE REQUIRED
IDENTIFYING SYMBOL IS NOT POSTED TO SUFFICIENTLY
WARN PERSONS CONDUCTING FIRE CONTROL AND OTHER
EMERGENCY OPERATIONS OF THE EXISTENCE
OF LIGHT-FRAME TRUSS-TYPE CONSTRUCTION IN THE
STRUCTURE.

NFPA 1:13.6.2

FIRE EXTINGUISHER(S) IS/ARE NOT PROVIDED IN
ACCORDANCE WITH THE CODE.

NFPA 1:13.6.8.1.3.8.1

THE FIRE EXTINGUISHER(S) IS/ARE NOT MOUNTED
ACCORDING TO THE CODE.

MO Sec. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

NFPA 1:11.1.10

THERE IS/ARE MISSING ELECTRICAL COVER(S).

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 101:31.3.4.5.1.

NFPA 101:31.2.1.2

THE MEANS OF ESCAPE FROM THE DWELLING UNIT DO NOT
MEET THE REQUIREMENTS OF THE LIFE SAFETY CODE.

Inspector Tetreault explained that when the property was converted, a bedroom window had been blocked. This and the smoke detector issue were the most serious problems that must be corrected immediately.

Inspector Tetreault recommended ordering compliance within 28 days or a fine of \$150 per day, per violation.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$150 per day, per violation would begin to accrue and to record the order. In a voice vote, with Mr. Dooley opposed, motion passed 6-1.

Case: CE12090217

2201 Northeast 16 Court
LINDSEY, ROCHELLE

Certified mail sent to the owner was accepted on 3/13/13.

Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2010) 105.4.18

A WOOD FENCE WITH GATES HAS BEEN ERECTED ON THE
PROPERTY WITHOUT A PERMIT.

Inspector Smilen stated this case was begun pursuant to a complaint and he had posted a Stop Work Order on the property on 9/20/12. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day.

Rochelle Lindsey, owner, said they had replaced a rotted fence in 2012. When she applied for the permit, she had discovered that the fence was not permitted in this location. Ms. Lindsey was in the process of renovating the rest of the house and had asked the architect to include the fence on the plans. She requested more than 28 days.

Inspector Smilen stated the existing application could be corrected to indicate a legal fence installation. The permit would give the owner six months to relocate the fence.

Motion made by Ms. Sheppard, seconded by Mr. Elfman, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12081790

3590 Northwest 54 Street # 3
ARMCHEM ACQUISITIONS LLC
% ANDREW BRAHMS

Certified mail sent to the owner was accepted on 3/12/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS AND INSPECTIONS AND CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT: THE PERMITTED FLOOR PLAN FOR THE ABOVE MENTIONED WAREHOUSE HAS BEEN CHANGED:

1. A WOOD STAGE HAS BEEN BUILT INSIDE THE WAREHOUSE.
2. LIGHTS WERE INSTALLED.
3. SEATING ARRANGEMENTS WERE DONE INSIDE THE 7040 SQ/FT. WAREHOUSE.

THIS COMPLAINT CAME FROM THE FIRE MARSHALL'S OFFICE AS FOLLOWS:

IN JUNE OF 2011 THE TENANT GOT A BUS TAX FOR A STATED USE OF ADULT EDUCATION CLASSES IN THE FRONT OFFICES. I WAS THERE TODAY FOR THE ANNUAL FIRE SAFETY INSPECTION AND NOW THEY HAVE THE 7040 SQ FT WAREHOUSE AREA IN THE REAR THAT HAS BEEN SET UP AS AN ASSEMBLY WITH A STAGE AND SOUND SYSTEM. THE PLACE IS CALLED THE ENRICHMENT CENTER.

CAPT. THOMAS CLEMENTS
FLFD, FIRE MARSHALL OFFICE.

FBC(2010) 111.1.1

THE USE AND THE OCCUPANCY OF THIS BUILDING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION FOR A GROUP "E" FOR ADULT EDUCATION CLASSES TO A GROUP "A-3" FOR RELIGIOUS WORSHIP WITHOUT OBTAINING THE REQUIRED PERMITS AND THE CERTIFICATE OF OCCUPANCY FROM THE BUILDING DEPARTMENT.

Inspector Oliva reported the case had been opened pursuant to a complaint from the Fire Marshal's office. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation.

Darrylle Hood, tenant, said the property had been used for an adult education center and they had built the area for their graduation ceremonies. They had torn everything out after being advised they could not use the area that way.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$5 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12030330

2901 Northeast 51 Street # 07

NOHRA, MICHEL

NOHRA, MICHELINE

Certified mail sent to the owner was accepted on 3/6/13.

Jorg Hruschka, Building Inspector, testified to the following violations:
FBC(2007) 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING
MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:

1. INTERIOR REMODELING IS BEING DONE ON THE
KITCHEN AND BATHS.

FBC(2007) 105.4.4

THE PLUMBING SYSTEM OF THE BUILDING HAS BEEN
ALTERED WITHOUT OBTAINING A PERMIT IN THE
FOLLOWING MANNER:

1. PIPING AND FIXTURES ARE BEING REPLACED.

FBC(2007) 109.10

WORK WAS PERFORMED AND/OR COVERED WITHOUT
OBTAINING THE REQUIRED APPROVALS.

Withdrawn

FBC(2007) 105.4.5

Inspector Hruschka said the contractor had applied for permits a couple of days ago. He recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

Andre Lahoud, contractor, said they had replaced a kitchen sink without a permit.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/28/13 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE11101853

1630 Northwest 4 Avenue
MARTINON, JULIEN

Certified mail sent to the owner was accepted on 3/12/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2007) 105.1

THE BUILDING HAS BEEN CHANGED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMIT, INSPECTIONS AND THE CERTIFICATE OF OCCUPANCY FROM THE BUILDING DEPARTMENT:

A STOP WORK WAS ISSUED FOR WORK IN PROGRESS WITHOUT PERMITS.

1. REMODELING THE INTERIOR OF THE DWELLING FRAMING WITH NEW DRYWALL IS BEING INSTALLED.
2. NEW WINDOWS ARE BEING INSTALLED.
3. ELECTRICAL UPGRADES WITH A NEW BREAKER PANEL AND RESET LAMPS INSIDE THE CEILING OF THE LIVING AREAS.
4. CENTRAL A/C WITH DUCTS IS BEING INSTALLED.
5. RENOVATIONS IN THE KITCHEN AND BATHROOMS WITH NEW CABINETS AND PLUMBING FIXTURES ARE BEING INSTALLED.

FBC(2007) 105.4.4

THE PLUMBING SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. PLUMBING ALTERATIONS ARE IN PROGRESS TO REMODEL THE KITCHEN AND BATHROOM WITH NEW WASTE AND HOT AND COLD WATER PIPES THAT ARE GOING TO BE HOOKED-UP TO THE NEW PLUMBING FIXTURES.

FBC(2007) 105.4.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. ALTERATIONS ARE BEING DONE TO THE ELECTRICAL SYSTEM BY REPLACING THE MAIN BREAKER PANEL.
2. A NEW 220V CIRCUIT TO THE CENTRAL A/C WITH A

7.5 KW ELECTRIC HEATER.

3. A NEW 110V CIRCUIT TO THE RESET LIGHTS.
4. POWER SUPPLY TO THE REMODELED KITCHEN AREA WITH THE 220V RUN FOR THE RANGE AND WALL OUTLETS. BY THIS ACTION THE OWNER IS INCREASING THE AMPERAGE LOAD IN THE MAIN ELECTRICAL PANEL OVER THE TOTAL AMPS LOAD RATING THAT WAS PERMITTED. IT HAS BECOME AN ELECTRICAL FIRE HAZARD.

FBC(2007) 105.4.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. THE OWNER HAS INSTALLED A CENTRAL A/C WITH DUCT WORK AND ELECTRICAL HEATERS.
2. MECHANICAL VENTILATION FOR THE BATHROOMS, KITCHEN AND THE DRYER'S VENT.

FBC(2007) 109.10

THE WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS THROUGH THE PERMITTING AND INSPECTION PROCESS.

FBC(2007) 1612.1.2

ALL THE WINDOWS AND DOOR INSTALLATIONS HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING AND INSPECTION PROCESS.

FBC(2007) 1626.1

THE WINDOWS AND DOORS WITH GLASS PANELS THAT WERE INSTALLED DO NOT PROVIDE THE REQUIRED RESISTANCE TO THE IMPACT OF WINDBORNE DEBRIS. AN APPROVED SHUTTER SYSTEM HAS NOT BEEN PROVIDED AS PER FBC(2007) 1609.1.2

Inspector Oliva stated the owner had applied for the permits to comply the violations but the permits had expired without inspection. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation.

Julien Martinon, owner, said he had renewed the master permit the previous day and presented the receipt and permit card. He said he had inherited the violations from a previous owner.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12090219

2320 Northwest 14 Street
SME INVESTMENT GROUP LLC

Certified mail sent to the owner was accepted on 3/12/13.

George Oliva, Building Inspector, testified to the following violations:

FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS AND INSPECTIONS:

1. FOUR WINDOWS AND THE EXTERIOR DOORS WERE REPLACED AT THE DWELLING.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

FBC(2010) 1609.1

ALL THE NEW WINDOWS, AND DOOR INSTALLATIONS HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING AND INSPECTION PROCESS.

FBC(2010) 1626.1

THE WINDOWS AND DOORS WITH GLASS PANELS THAT HAVE BEEN INSTALLED DO NOT PROVIDE THE REQUIRED RESISTANCE TO THE IMPACT OF WINDBORNE DEBRIS. AN APPROVED SHUTTER SYSTEM HAS NOT BEEN PROVIDED AS PER FBC(2010) 1609.1.2.

Inspector Oliva said the case was opened pursuant to a complaint from the homeowners association. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation.

Stuart Mead, owner, said he had installed the windows five years ago.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE10050006

204 Northwest 16 Street
LARA & BLENDI LLC

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 11/23/10 to comply by 1/25/11. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, said the permit had been issued on March 22. He recommended a 91-day extension.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to grant a 91-day extension to 6/25/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11060522

2600 Northeast 9 Street
820 LLC

Certified mail sent to the registered agent was accepted on 3/12/13.

Jorg Hruschka, Building Inspector, testified to the following violations:
FBC(2007) 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING
MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:

1. THE ALUMINUM CARPORT ON THE SOUTH SIDE OF 820
DOES NOT HAVE A BUILDING PERMIT.

FBC(2007) 1612.1.2

THE ALUMINUM CARPORT STRUCTURE HAS NOT BEEN PROVEN
TO SUFFICIENTLY WITHSTAND ESTIMATED OR ACTUAL
IMPOSED DEAD, LIVE, WIND, OR ANY OTHER LOADS
THROUGH THE PERMIT AND INSPECTION PROCESS.

Inspector Hruschka submitted a photo of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$25 per day, per violation.

Deborah Mayor, LLC manager, said the violation existed when they purchased the property. She noted that the poles had been installed when the slab was poured, and thought the frame might be permitted with the slab. Ms. Mayor added that over 90 permits had been pulled for this property. She stated she would look through the property permit history at the City to determine if the carport could have been covered by any of the permits that had been pulled.

Motion made by Mr. Dooley, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, with Mr. Thilborger and Chair Nelson opposed, motion passed 5-2.

Case: CE12060347

1716 Northwest 15 Court
SIBBLIES, BEATRICE

Service was via posting on the property on 3/7/13 and at City Hall on 3/14/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION
WORK PERFORMED WITHOUT OBTAINING THE REQUIRED
PERMITS AND INSPECTIONS, WITH THE REQUIRED
CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING
DEPARTMENT:

1. ROOF WORK IS IN PROGRESS WITHOUT A PERMIT. WORK
IS BEING DONE NOT TO CODE. ROOF SHINGLES WERE
PLACED ON TOP OF THE EXISTING ONES.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED
INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT
THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva said the case had been opened pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation.

Motion made by Mr. Dooley, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12040793

727 Northwest 17 Street
FOSTER, STACY

Service was via posting on the property on 3/7/13 and at City Hall on 3/14/13.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS AND INSPECTIONS AND THE REQUIRED CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

A STOP WORK ORDER WAS ISSUED BY THE SRT AND PD FOR MAJOR RENOVATIONS IN PROGRESS INCLUDING:

1. REMOVAL AND CONSTRUCTION OF INTERIOR WALLS.
2. NEW BATHROOMS AND KITCHEN WITH CABINETS.
3. ELECTRICAL WORK INCLUDING NEW SWITCHES AND OUTLETS.
4. NEW PLUMBING FOR THE KITCHEN AND BATHROOMS WITH NEW FIXTURES.

FBC(2010) 105.4.4

THE PLUMBING SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. PLUMBING ALTERATIONS WERE DONE TO BUILD THE NEW KITCHEN AND BATHROOMS INSIDE THE DWELLING WITH NEW WASTE AND HOT AND COLD WATER PIPES HOOKED-UP TO THE NEW PLUMBING FIXTURES.

FBC(2010) 105.4.5

ELECTRICAL ALTERATIONS THROUGHOUT THE DWELLING:

1. WORK IS IN PROGRESS WITH NEW CIRCUITS TO THE CENTRAL A/C, LIGHTS AND WALL OUTLETS.
2. THE POWER SUPPLY TO THE NEW KITCHEN AREA WITH THE 220V RUN FOR THE RANGE OUTLET. BY THIS ACTION THE OWNER IS INCREASING THE AMPERAGE LOAD IN THE MAIN ELECTRICAL PANEL OVER THE TOTAL AMPS LOAD RATING THAT WAS PERMITTED. IT HAS BECOME AN ELECTRICAL FIRE HAZARD.

FBC(2010) 105.4.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. THE PREVIOUS OWNER INSTALLED A CENTRAL A/C WITH

DUCT WORK AND ELECTRICAL HEATERS. THE DUCT WORK WAS REDESIGNED WITHOUT THE PROPER ENERGY LOAD CALCULATIONS FROM A MECHANICAL ENGINEER TO MEET THE NEW FLORIDA ENERGY CONSERVATION LAWS.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS AND HAS BEEN COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva said a Stop Work Order had been posted on the property on March 29, 2012 for work without permits. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation. Inspector Oliva thought the bank was taking back the property.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE12071274

2600 Northwest 20 Court
PIERCE, RICKY

Service was via posting on the property on 3/12/13 and at City Hall on 3/14/13.

George Oliva, Building Inspector, testified to the following violations:

FBC(2010) 105.4.18

THE NEW WOOD FENCE AND GATE NEEDS TO HAVE PROFESSIONAL DESIGNER DRAWINGS WITH THE WIND PRESSURE CALCULATIONS OR THE NOA IF APPLICABLE AS PER FBC(2010) 1609.1. IT MUST SHOW THE SCOPE OF THE WORK WITH THE INSTALLATION DETAILS AND IT MUST BE APPROVED BY ZONING TO BE INSTALLED AT THAT LOCATION.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva said the case had been opened pursuant to a complaint from the homeowners association. He submitted photos of the property and the Notice of

Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation.

Motion made by Mr. Dooley, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, with Chair Nelson opposed, motion passed 6-1.

Case: CE12090498

3363 Davie Blvd
3333 DAVIE LLC

Certified mail sent to the owner was accepted on 3/12/13.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION
WORK PERFORMED WITHOUT OBTAINING THE REQUIRED
PERMITS AND INSPECTIONS:

1. THIS UNIT WAS DAMAGED BY A FIRE. IT IS BEING
REBUILT WITH AN ELECTRICAL PERMIT ONLY.
2. THE WINDOWS, CENTRAL A/C AND DRYWALL THAT WERE
DAMAGED BY THE FIRE INSIDE THE UNIT WERE
REPLACED WITHOUT PERMITS. THIS UNSAFE APARTMENT
IS BEING RENTED AND HAS A TENANT LIVING INSIDE
AT THE MOMENT.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED
INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT
THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva said the case had been opened pursuant to a complaint from the Fire Marshal. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$250 per day, per violation.

Inspector Oliva confirmed that there was still a tenant in the apartment. He said the Fire Department and Building Department had both deemed the property unsafe.

Ms. Ellis wanted to recommend that the Fire Department evacuate the tenant from the apartment.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 4/23/13 or a fine of \$250 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE10092029

2464 Southwest 8 Street
SUNSHINE STATE PROPERTIES LLC
NEW OWNER: SDO SERVICES INC

This was a request to vacate the Order Imposing a Fine dated 8/23/11.

George Oliva, Building Inspector, reported permits had been issued and the case was in compliance.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to vacate the Order Imposing a Fine dated 8/23/11. In a voice vote, motion passed 7-0.

Case: CE11111325

1237 Northwest 7 Avenue
IMMEDIATE HOUSING INC

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 10/23/12 to comply by 11/27/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, reported the permits had been issued and he had agreed to the respondent's attorney's request to recommend a 91-day extension.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to grant a 91-day extension to 6/25/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12010306

1321 Northwest 8 Avenue # B
APPLYRS, EVA

Service was via posting on the property on 3/15/13 and at City Hall on 3/14/13. This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, said only the window permit was needed and recommended a 63-day extension.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12020588

1512 Northeast 3 Avenue
ST VICTOR, GARVEL

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, said permit applications had been submitted in May 2012. There had been no other progress.

Motion made by Chair Nelson, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 3/27/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE12020599

1513 Northeast 2 Avenue
ANDREWS, BRENT &
PASSARELLA, DIEGO

Certified mail sent to the owner was accepted on 3/14/13.

This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, said permit applications had been submitted and recommended a 28-day extension.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 4/23/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12041584

6800 Northwest 21 Terrace
OGREN, NATHAN

Certified mail sent to the owner was accepted on 3/14/13. This case was first heard on 11/27/12 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

George Oliva, Building Inspector, stated the owner was working with the City; he had removed the carport and applied for the permit. He recommended a 63-day extension.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 63-day extension to 5/28/13, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12031755

1180 Northeast 1 Street
INVESTMENTS AT SOUTH FLORIDA LLC
%FEUERSTEIN LAW PA

Certified mail sent to the owner was accepted on 3/15/13. This case was first heard on 8/28/12 to comply by 10/23/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,100 fine, which would continue to accrue until the property complied.

Gerry Smilen, Building Inspector, read an email he had received from the owner indicating he could not attend the hearing and stating he was moving forward with complying the violations. Inspector Smilen explained the permit application, which had been submitted on March 22, required a small correction and recommended a 28-day extension.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and to impose the \$5,100 fine, which would continue to accrue until the violations were corrected. In a roll call vote, motion **failed** 2-5 with only Ms. Sheppard and Ms. Hinton voting in favor.

Motion made by Chair Nelson, seconded by Ms. Hinton, to grant a 28-day extension to 4/23/13, during which time no fines would accrue. In a voice vote, with Ms. Sheppard opposed, motion passed 6-1.

Case: CE12050368

1215 Northwest 4 Street
HERRINGTON, CHARLES E

Service was via posting on the property on 3/14/13 and at City Hall on 3/14/13. This case was first heard on 1/22/13 to comply by 3/26/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 3/27/13 and would continue to accrue until the property complied.

Gerry Smilen, Building Inspector, recommended imposition of the fines.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 3/27/13 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Approval of Meeting Minutes

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to approve the minutes of the Board's February 2013 Meeting. In a voice vote, motion passed 7-0.

Communication to the City Commission

None.

For the Good of the City

No discussion.

Cases Complied

The below listed cases were complied. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by

CE12051839	CE12051316	CE11110881	CE11121643
CE11121645	CE12010356		

There being no further business to come before the Board, the meeting adjourned at 1:18 P.M.



Chair, Code Enforcement Board

ATTEST:



Clerk, Code Enforcement Board

NOTE: The agenda associated with this meeting is incorporated into this record by reference.

Minutes prepared by: Jamie Opperee, ProtoType Inc.